

Message Text

SECRET

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ACTION OES-05

INFO OCT-01 ARA-06 EUR-12 IO-10 ISO-00 FEA-01 ACDA-05

CIAE-00 INR-07 L-03 NSAE-00 NSC-05 EB-07 NRC-05

DODE-00 SS-15 /082 W

----- 007202

R 231530Z DEC 75

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 6328

INFO AMEMBASSY BRASILIA

AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY OTTAWA

AMCONSUL RIO DE JANEIRO

USMISSION IAEA VIENNA

S E C R E T PARIS 33474

E.O. 11652: GDS

TAGS: TECH, FR, FW, BR

SUBJECT: FRG BRAZILIAN NUCLEAR COOPERATION

REF: PARIS 32538

1) IN THE COURSE OF GENERAL DISCUSSIONS ON INTERNATIONAL NUCLEAR ISSUES WITH EMBOFF ON DEC 22, MFA SCIENTIFIC AFFAIRS DIRECTOR DE NAZELLE MADE THE FOLLOWING COMMENTS ON THIS SUBJECT.

2) THE FRG CONTINUES TO KEEP THE GOF WELL INFORMED ON THE STATUS OF ITS NUCLEAR NEGOTIATIONS WITH BRAZIL: DE NAZELLE RECEIVED ON DEC 19 THE EARLY DECEMBER DRAFT OF THE FRG-BRAZIL COOPERATION AGREEMENT. DE NAZELLE UNDERSTANDS THIS DRAFT TO REPRESENT THE AGREEMENT OF THE TWO GOVTS AND TO BE PUT FORWARD SOON TO THE IAEA FOR ITS APPROVAL. DE NAZELLE DID NOT FEEL THAT IT WAS APPROPRIATE FOR FRANCE TO VOICE CONCERN ABOUT FOLLOWING THE LONDON SUPPLIERS GUIDELINES IN SECRET

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THE CONTEXT OF THE IAEA REVIEW AND APPROVAL OF THE

BILATERAL AGREEMENT. HOWEVER, DE NAZELLE DOES HAVE SOME QUESTIONS ON THE ACCORD AND WOULD VERY MUCH APPRECIATE WASHINGTON VIEWS, ESPECIALLY ON THE FOLLOWING ASPECTS.

3. DE NAZELLE'S PRINCIPLE CONCERN IS THE DIRECTION THAT IS APPARENT IN THE CHANGES MADE FROM THE OCTOBER DRAFT TO THE DECEMBER DRAFT, WHICH HE BELIEVES ARE AWAY FROM THE LONDON SUPPLIERS GUIDELINES. IN THE OCT DRAFT, THE FRG HAD APPARENTLY REACHED AGREEMENT WITH BRAZIL ON THE TRANSFER OF TECHNOLOGY EMBODIES IN EQUIPMENT AND HAD USED THE PHRASE "SPECIAL EQUIPMENT THUS TRANSFERRING THE TECHNOLOGY." DE NAZELLE FELT THIS A VERY GOOD FORMULATION. THIS PHRASE APPARENTLY HAS BEEN DROPPED IN THE DECEMBER DRAFT AND THE TRANSFER OF TECHNOLOGY NOW RESTS UPON THE DEFINITION PROVIDED TO THE IAEA AFTER THE EQUIPMENT HAS BEEN TRANSFERRED.

4) AGAIN THE CHANGE FROM THE OCT TO THE DEC DRAFT IS UPSETTING IN THAT IN THE OCT DRAFT, THE IAEA WAS TO BE ADVISED PRIOR TO THE TRANSFER OF EQUIPMENT OR TECHNOLOGY, AND IN THE DECEMBER DRAFT THE IAEA IS TO BE NOTIFIED WITHIN A FIXED PERIOD AFTER THE TRANSFER OF THE EQUIPMENT OR TECHNOLOGY.

5) ANOTHER ASPECT THAT BOTHERS DE NAZELLE IS THAT SAFEGUARDS ARE TO COVER THE TRANSFER OF TECHNOLOGY EXCEPT FOR OPEN TECHNOLOGY, THAT IS TECHNOLOGY AVAILABLE IN THE NORMAL SCIENTIFIC AND TECHNICAL LITERATURE. DE NAZELLE UNDERSTANDS THE BECKER PROCESS TO BE IN THE OPEN LITERATURE. HE FEELS IT IS INAPPROPRIATE TO EXCLUDE THE BECKER PROCESS FROM SAFEGUARDS BECAUSE IT IS TECHNOLOGY IN THE OPEN LITERATURE. EMBOFF NOTED THAT THE GENERAL CHARACTERISTICS MAY BE IN THE LITERATURE, BUT THE DETAIL DESIGN IS SECRET.

6. EMBOFF INFORMED DE NAZELLE THAT THE FRG HAD DISCUSSED THE DECEMBER DRAFT WITH U.S. OFFICIALS
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IN WASHINGTON DURING THE WEEK OF DEC 8. DE NAZELLE WOULD GREATLY APPRECIATE RECEIVING WASHINGTON COMMENTS AND OBSERVATIONS OF THE FRG/BRAZIL AGREEMENT AND PARTICULARLY WASHINGTON COMMENTS ON THE ISSUES OUTLINED ABOVE. WHILE THE DRAFT AGREEMENT IS AN UMBRELLA AGREEMENT AND THERE REMAINS THE OPPORTUNITY IN SUBORDINATE PROTOCOLS COVERING THE TRANSFER OF SPECIFIC EQUIPMENT AND TECHNOLOGY TO ESTABLISH APPROPRIATE

PROVISIONS OF THE LONDON SUPPLIERS GUIDELINES, DE
NAZELLE, NEVERTHELESS, IS CONCERNED ABOUT THE AGREEMENT,
LARGELY DUE TO THE DIRECTION OF CHANGE HE OBSERVES IN
COMPARING THE OCT AND DEC DRAFTS. HE PLANS TO ASK THE
FRG THROUGH THE FRENCH EMBASSY IN BONN FOR CLARIFICA-
TION ON THESE ASPECTS.
GAMMON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NUCLEAR COOPERATION PROGRAMS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 23 DEC 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975PARIS33474
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750445-1114
From: PARIS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19751215/aaaaamwr.tel
Line Count: 122
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION OES
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: SECRET
Previous Handling Restrictions: n/a
Reference: 76 PARIS 32538
Review Action: RELEASED, APPROVED
Review Authority: greeneet
Review Comment: n/a
Review Content Flags:
Review Date: 01 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 APR 2003 by ShawDG>; APPROVED <06 OCT 2003 by greeneet>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FRG BRAZILIAN NUCLEAR COOPERATION
TAGS: TECH, FR, FW, BR
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006